

THE AMERICAN RED CROSS

The American Red Cross provides an exclusive worldwide communications and support network that serves as a lifeline between military service members and their families. For the service member and his or her family, the Red Cross is the connection to home in the event of a family crisis, a death in the family, a financial emergency, or a joyous birth. Some of the ways the Red Cross assists military members and their families:

Armed Forces Emergency Services (AFES): AFES helps military members and military families cope with separation and other special situations related to service in the armed forces. Services include around-the-clock, around-the-world communication between military members and their families; neutral, impartial assistance, including comfort and counseling; independent verification of emergency situations; and financial assistance and referrals for emergency travel and other family needs.

Emergency Communications: Red Cross emergency messages provide military personnel and their commanders with fast, reliable information to help them make decisions regarding emergency leave, deferment, compassionate reassignment, and dependency discharge.

Financial Assistance: The Red Cross collaborates with the Military Aid Societies in providing financial assistance when an urgent personal or family crisis arises. Financial assistance is provided when there is a demonstrated need for funds for such things as emergency travel, burial assistance, or urgent health and welfare needs such as food and shelter.

Counseling: The Red Cross offers counseling, information, referrals, and other social services to military families. Red Cross Armed Forces Emergency Services workers are neutral personnel to whom military persons or family members can go for confidential problem solving.

If you have an emergency and you need to communicate with a family member in the military and your family member is serving on active duty at a military installation, call (877) 272-7337. For service members and their families who do not live on a military installation and for those not serving on active duty, please call your local American Red Cross chapter.

For additional information see: <http://www.redcross.org>

CIVILIAN JOB RIGHTS AND PROTECTIONS

Reemployment rights with a civilian employer are protected under chapter 43 of title 38, United States Code. This law, better known as the Uniformed Services Employment and Reemployment Rights Act or USERRA, provides a broad range of civilian job protections.

USERRA Features

Scope of Coverage:

USERRA provides protection to anyone absent from a position of civilian employment because of uniformed service if:

- (1) advance written or verbal notice was given to the civilian employer;
- (2) the cumulative length of absence(s) does not exceed 5 years; and
- (3) the person's character of service was not adverse.

Returning to Work:

A service member must report to work or submit an application for reemployment within a specified period based on the duration of service. The table below contains the limits specified for returning to work. It is worth noting that failure to report or make timely application does not automatically result in loss of reemployment rights, but does subject the service member to the rules of conduct, policies and general practices established by the employer, which may result in loss of USERRA protections.

<u>Period of Service</u>	<u>Return/Apply to Return to Work</u>
Less than 31 days	Return no later than the first full regularly scheduled work period on the first full calendar day
More than 30 days but less than 181 days	Apply no later than 14 days
More than 180 days	Apply no later than 90 days

There are certain circumstances under which a civilian employer may not be required to reemploy a service member. However, the employer has the burden of proving reemployment is not possible within those circumstances.

Benefits:

Service members are entitled to seniority and all the benefits of seniority with their civilian employer as if continuously employed.

Health Care:

Service members may elect to continue the health care coverage provided by their civilian employer for up to eighteen months. If the period of coverage exceeds 30 days, the employer can require the employee to pay 102% of the full premium costs. For periods of 30 days or less, the employer may require the employee to pay only the employee's share of the coverage, if any.

Pension Benefit Plans:

Employees are to be treated as if no absence in employment occurred and may make up contributions to an employee pension benefit plan. Employers are also required to fund any obligation attributable to the employer of the employee's benefit pension plan.

Assistance:

A person experiencing problems with civilian employment or reemployment may contact the National Committee for Employer Support of the Guard and Reserve (NCESGR) for assistance. Their toll free number is 1-800-336-4590. A individual protected by USERRA may also file a complaint with the Assistant Secretary for Veterans' Employment and Training at the Department of Labor (DoL) if an employer has failed or refused, or is about to fail or refuse, to comply with employment or reemployment rights and benefits. Additional information about USERRA may be found on the following web sites:



NCESGR; <http://www.ncesgr.osd.mil>

DoL: <http://www.dol.gov/dol/vets/>